

HB 114 -- PERISHABLE FOOD ITEM

SPONSOR: McGaugh

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Agriculture Policy by a vote of 6 to 4. Voted "Do Pass" by the Standing Committee on Rules-Legislative Oversight by a vote of 9 to 3.

This bill specifies a person is liable to the producer of a perishable food product for damages and any other appropriate relief if the person disseminates in any manner information relating to the perishable food product to the public that the person knows is false and the information states or implies that the perishable food product is not safe for consumption by the public.

In determining if information is false, the trier of fact must consider whether the information was based on reasonable and reliable scientific inquiry, facts, or data.

This bill is the same as HB 1830 (2016).

PROPONENTS: Supporters say that when a person knowingly disseminates information relating to a perishable food product, the food products spoil before the information can be corrected. This bill would make the person who disseminates the incorrect information liable for damages, and therefore, people will be less likely to purposely disseminate wrong information.

Testifying for the bill were Representative McGaugh; Missouri Cattlemens Association; Missouri Pork Association; Missouri Soybean Association; Missouri Federation of Animal Owners; Missouri Farm Bureau; Missouri Corn Growers Association; and Missouri Agribusiness Association.

OPPONENTS: Those who oppose the bill say that the legal threshold in the bill is higher than in the current liable law. This bill is unnecessary.

Testifying against the bill was Ed Smith, Missouri Coalition for the Environment.